

1 ROBERT A. VAN NEST (SBN 84065)  
rvannest@kvn.com

2 CHRISTA M. ANDERSON (SBN 184325)  
canderson@kvn.com

3 KEKER & VAN NEST LLP  
4 633 Battery Street  
San Francisco, CA 94111-1809  
5 Telephone: (415) 391-5400  
6 Facsimile: (415) 397-7188

7  
8 DONALD F. ZIMMER, JR. (SBN 112279)  
fzimmer@kslaw.com

9 CHERYL A. SABNIS (SBN 224323)  
csabnis@kslaw.com

10 KING & SPALDING LLP  
101 Second Street – Suite 2300  
11 San Francisco, CA 94105  
12 Telephone: (415) 318-1200  
Facsimile: (415) 318-1300

13  
14 Attorneys for Defendant  
GOOGLE INC.

15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**  
17 **SAN FRANCISCO DIVISION**

18 ORACLE AMERICA, INC.

19 Plaintiff,

20 v.

21 GOOGLE INC.

22 Defendant.  
23  
24  
25  
26  
27  
28

SCOTT T. WEINGAERTNER (*Pro Hac Vice*)  
sweingaertner@kslaw.com

ROBERT F. PERRY  
rperry@kslaw.com

BRUCE W. BABER (*Pro Hac Vice*)  
bbaber@kslaw.com

KING & SPALDING LLP  
1185 Avenue of the Americas  
New York, NY 10036-4003  
Telephone: (212) 556-2100  
Facsimile: (212) 556-2222

IAN C. BALLON (SBN 141819)  
ballon@gtlaw.com

HEATHER MEEKER (SBN 172148)  
meekerh@gtlaw.com

GREENBERG TRAURIG, LLP  
1900 University Avenue  
East Palo Alto, CA 94303  
Telephone: (650) 328-8500  
Facsimile: (650) 328-8508

Case No. 3:10-cv-03561-WHA

Honorable Judge William Alsup

**DECLARATION OF TRUMAN FENTON  
IN SUPPORT OF ADDITIONAL CLAIM  
CONSTRUCTIONS**

1 I, Truman Fenton, hereby declare and state as follows:

2 1. I am an attorney with the law firm of King & Spalding LLP, which is counsel of  
3 record for Google Inc. I have personal knowledge of the facts set forth in this declaration unless  
4 otherwise noted, and, if called to do so, I could and would competently testify thereto.

5 2. Exhibit A is a true and correct copy of excerpts of the *Microsoft Computer*  
6 *Dictionary* (5th ed.) (Microsoft Press 2002).

7 3. Exhibit B is a true and correct copy of Greg Travis, *Understanding the Java*  
8 *ClassLoader* (IBM developerWorks 2001) available at [http://www.ibm.com/developerworks/](http://www.ibm.com/developerworks/java/tutorials/j-classloader/)  
9 [java/tutorials/j-classloader/](http://www.ibm.com/developerworks/java/tutorials/j-classloader/) (last accessed on Jan. 11, 2012).

10 4. Exhibit C is a true and correct copy of Net Chapin, "Flowcharting With the ANSI  
11 Standard: A Tutorial," *Computing Surveys* (ACM 1970) (obtained from the Association for  
12 Computing Machinery website).

13 5. Exhibit D are accurate screen captures of an industry standard drafting program,  
14 Microsoft Visio 2003, displaying the standard flowcharting template and the software version  
15 information. I captured and saved these screen images on or about January 5, 2012. I added the  
16 red box around the "document" symbol.  
17

18  
19 I declare under penalty of perjury under the laws of the United States of America that the  
20 foregoing is true and correct and that this declaration was executed this 11th day of January,  
21 2012, in Austin, Texas.

22 Dated: January 11, 2012



24 Truman Fenton

25 I hereby certify that Truman Fenton joins in the e-filing of this document.

26  
27 /s/ Cheryl A. Sabnis /s/  
28 Cheryl A. Sabnis